

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

ELIAS PENA, et al.,

Plaintiffs,

v.

CLARK COUNTY,

Defendant.

No. 21-cv-05411-DGE

JURY QUESTION AND  
COURT'S RESPONSE

Jury Question

NOTE FROM JURY: #1

Jury Instructions 16, 17, 18 have a 5 prong test where #1 must be "yes" to continue.  
Jury Instructions 22, 23, 24 have a 2 prong test where #1 must be "yes" to continue.  
Can we use either test? As long as we can answer "yes" to #1 on either <sup>test</sup>, but maybe not both? Can we use them exclusive of each other?

  
Juror / Foreperson

RESPONSE:

I am unable to provide you with any further instructions about the law. The jury instructions contain the applicable law. and you are required to apply those instructions to the facts of this case.

  
Judge

6/16/23